

## SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2008-0003 – Windsor Road Vertical Mixed Use Building (V) Zoning Opt-In/Opt-Out Process, Tracts 3-21

REQUEST:

Conduct a public hearing and approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning selected tracts within the Windsor Road Neighborhood Planning Area with the vertical mixed use building “V” combining district. The planning area is bounded by West 35<sup>th</sup> Street to the north, North Lamar Boulevard to the east; Enfield Road to the south; and North MoPac Expressway Northbound to the west (Town Lake; Shoal Creek; Johnson Creek watersheds).

DEPARTMENT COMMENTS:

North Lamar Boulevard and West 35<sup>th</sup> Street are designated as Core Transit Corridors. The subject rezonings consist of 19 tracts on 26.08 acres.

The property owner of 1715 West 35<sup>th</sup> Street (a portion of Tract 3) has filed a valid petition in opposition to exclusion from the Vertical Mixed Use (VMU) overlay district. Please refer to Attachment A following Page 6 of the Staff report.

APPLICANT: City of Austin, Neighborhood Planning & Zoning Department

AGENT: City of Austin, Neighborhood Planning & Zoning Department (Wendy Rhoades)

DATE OF FIRST READING: February 14, 2008, Approved First Reading of an ordinance for vertical mixed use building (V) district zoning except for Tracts 1 and 2 (1807 West 35<sup>th</sup> Street, 1809 West 35<sup>th</sup> Street, 1811 West 35<sup>th</sup> Street, 1815 West 35<sup>th</sup> Street, and 1721 West 35<sup>th</sup> Street) which were postponed to March 20, 2008 (6-0, Kim-absent).

CITY COUNCIL HEARING DATE: March 20, 2008

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades, e-mail: wendy.rhoades@ci.austin.tx.us



## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2008-0003 – Windsor Road      **P.C. DATE:** January 29, 2008  
Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning  
Opt-In/Opt-Out Process

**AREA:** 21 tracts on 27.46 acres

**APPLICANT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD)

**AGENT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD),  
Wendy Rhoades

### **NEIGHBORHOOD ORGANIZATIONS:**

West Austin Neighborhood Group	Old West Austin Neighborhood Assn.
Heritage Neighborhood Association	
Clarksville Community Development Corporation	
BrykerWoods Neighborhood Association	Old Enfield Homeowners Association
Oakmont Heights Neighborhood Association	
Shoal Crest Neighborhood Association	North Austin Neighborhood Alliance
M.K. Hage	Rosedale Neighborhood Association
University Area Partners	West End Austin Alliance
Austin Independent School District	
Sentral Plus East Austin Koalition (SPEAK)	
Central Austin Neighborhoods Planning Area Committee	
Downtown Austin Neighborhood Coalition	Caswell Heights Neighborhood Association
Home Builders Association of Greater Austin	
Taking Action, Inc.	Austin Neighborhoods Council
West Campus Neighborhood Association	Downtown Austin Neighborhood Assn (DANA)
City of Austin Downtown Commission	Pemberton Heights Neighborhood Association
Caswell Pease Neighborhood Association	
Greater West Austin Neighborhood Planning Area	
Old West Austin Neighborhood Plan Contact Team	
The Original West University Neighborhood Association	
Non-Profit Student Housing Preservation Group	
Save Barton Creek Association	Homeless Neighborhood Organization
2222 Coalition of Neighborhood Assns.	Ridgelea Neighborhood Association

**AREA OF PROPOSED ZONING CHANGES:** The Windsor Road Neighborhood Planning Area is bounded by West 35<sup>th</sup> Street on the north; North Lamar Boulevard on the east; Enfield Road on the south; and North MoPac Expressway on the west.

**WATERSHEDS:** Town Lake; Shoal Creek; Johnson Creek – **Urban**

**DESIRED DEVELOPMENT ZONE:** Yes



**SCHOOLS:** Bryker Woods Elementary School

**APPLICABLE CORE TRANSIT CORRIDORS:**

North Lamar Boulevard and West 35<sup>th</sup> Street

**STAFF COMMENTS:**

The VMU Overlay District in the Windsor Road Neighborhood Planning Area includes 27.46 acres. The Bryker Woods Neighborhood Association is recommending excluding six tracts from the Overlay District, generally located on the south side of West 35<sup>th</sup> Street, for a total of approximately 4.367 acres. The net acreage of the neighborhood association's recommendations for 15 tracts to be included in the VMU Overlay District is about 22.82 acres, and generally located on the south side of West 38<sup>th</sup> Street and the west side of North Lamar Boulevard.

**LIST OF ATTACHMENTS:**

**Attachment 1:** Bryker Woods Neighborhood Association VMU Opt-In / Opt-Out Application

**Attachment 2:** List of Windsor Road Neighborhood Planning Area VMU Application Properties by Tract #, TCAD Property ID and City of Austin Address for properties in the VMU Overlay District

**Attachment 3:** Windsor Road Neighborhood Planning Area VMU Neighborhood Recommendations

**Attachment 4:** Windsor Road Neighborhood Planning Area VMU Overlay District Map and VMU Tract Map

**Attachment 5:** Zoning Map

**Attachment 6:** Overview of VMU and the VMU Opt-In/Opt-Out Process

**Attachment 7:** Planning Commission Recommendations –

- VMU Tract Table – Properties with VMU Building (V) Zoning
- VMU Tract Table – Properties Excluded from the VMU Overlay District
- Tract Map
- Zoning Map illustrating Properties with VMU Building (V) Zoning

**PLANNING COMMISSION RECOMMENDATION:**

January 29, 2008:

- *APPROVED MOTION 1 TO GRANT VERTICAL MIXED USE BUILDING (V) DISTRICT ZONING WITH DIMENSIONAL STANDARDS, PARKING REDUCTION AND ADDITIONAL USES IN OFFICE DISTRICTS TO TRACTS 7-21*
- *APPROVED MOTION 2 TO EXCLUDE TRACTS 1-6 FROM THE VERTICAL MIXED USE OVERLAY DISTRICT*



- ***APPROVED MOTION 3 TO GRANT AN AFFORDABILITY LEVEL OF 60% OF THE MEDIAN FAMILY INCOME FOR 10% OF RENTAL UNITS IN A VMU BUILDING.***  
***[T. ATKINS; P. HUI – 2ND] (8-0)***

**ISSUES:** Three of the four property owners of Tract 1 and the property owner of Tract 2 have filed valid petitions in opposition to exclusion from the Vertical Mixed Use (VMU) overlay district.

The property owner of 1715 West 35<sup>th</sup> Street (a portion of Tract 3) has filed a valid petition in opposition to exclusion from the Vertical Mixed Use (VMU) overlay district.

For petition information and results, please refer to Attachment A following Page 6 of the Staff report.

**CITY COUNCIL DATE:** February 14, 2008

**ACTION:** Approved First Reading of an ordinance for vertical mixed use building (V) district, except for Tracts 1 and 2 (1807 West 35<sup>th</sup> Street, 1809 West 35<sup>th</sup> Street, 1811 West 35<sup>th</sup> Street, 1815 West 35<sup>th</sup> Street, and 1721 West 35<sup>th</sup> Street) which were postponed to March 20, 2008 (6-0, Kim-absent).

March 20, 2008

**ORDINANCE READINGS:** 1<sup>st</sup> February 14, 2008 2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: [wendy.rhoades@ci.austin.tx.us](mailto:wendy.rhoades@ci.austin.tx.us)

**PHONE:** 974-7719



## **NEIGHBORHOOD RECOMMENDATION**

Representatives of the Bryker Woods Neighborhood Association are recommending that 15 eligible tracts, located along the south side of West 38<sup>th</sup> Street and the west side of North Lamar Boulevard, remain within the Windsor Road Neighborhood Planning Area's VMU Overlay District. All 15 tracts are proposed to receive all VMU related standards, including dimensional standards, parking reduction, and additional ground floor uses in Office districts. The Neighborhood Association is recommending that six tracts, located along the south side of West 35<sup>th</sup> Street, be excluded from the VMU Overlay District.

The neighborhood is recommending an affordability level of 60% of the median family income for future VMU Rental Units.

A table summarizing the Neighborhood Association's recommendations is found in Attachment 3.

## **BACKGROUND**

On August 31, 2006, the City Council adopted the "Design Standards & Mixed Use" ordinance as Subchapter E of Chapter 25-2 of the City Code. Most of the provisions of the ordinance went into effect on January 13, 2007. However, a separate process and schedule was established within the ordinance for Vertical Mixed Use.

The VMU Opt-In/Opt-Out process provides an opportunity for neighborhoods to offer recommendations regarding the location and development standards for Vertical Mixed Use Buildings. The primary focus of this process is on property fronting certain major arterials defined as Core Transit Corridors; however, other properties may also be eligible for VMU. With some exceptions, properties fronting on a Core Transit Corridor are eligible for VMU unless "opted-out". Properties not fronting on the Core Transit Corridors are not eligible for VMU unless "opted-in".

As part of the Vertical Mixed Use (VMU) Opt-In/Opt-Out process the city of Austin was divided into approximately 80 neighborhood planning and/or VMU application areas. Over the next several months each of the application areas affected by the VMU process will be the subject of a zoning case. The Planning Commission will review these cases and provide recommendations to the City Council who will make the final determination as to the applicability of VMU. Zoning case C14-2008-0003 is the final step in the Vertical Mixed Use Opt-In/Opt-Out process for the Windsor Road Neighborhood Planning Area application area. A more detailed overview of Vertical Mixed Use and the Opt-In/Opt-Out process is provided in Attachment 6.

The Chair of the Bryker Woods Neighborhood Association submitted a Vertical Mixed Use (VMU) Opt-In / Opt-Out Application to the City in June 2007. See the "Neighborhood Recommendation" section above for more details.



### **Impervious Cover**

The maximum impervious cover limits for the proposed zoning districts are as follows:

LI, Limited Industrial Services	80 %
CS, Commercial Services	95 %
CS-1, Commercial – Liquor Sales	95 %
W/LO, Warehouse Limited Office	70%
GR, Community Commercial	90 %
LR, Neighborhood Commercial	80 %
LO, Limited Office	70 %
MH, Mobile Home	N / A
MF-4, Multifamily Residence Moderate – High Density	70%
MF-3, Multi-family Residence (Medium Density)	65 %
MF-2, Multi-family Residence (Low Density)	60 %
SF-6, Townhouse & Condominium Residence	55%
SF-5, Urban Family Residence	55%
SF-3, Family Residence	45 %
SF-2, Single Family Residence – Standard Lot	45 %
P, Public	varies (refer to the <u>Land Development Code</u> )

The maximum amount of impervious cover is determined as the more restrictive figure of the zoning district and watershed class.

### **Transportation**

Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract-by-tract basis for any proposed land uses as would typically be provided.

A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

### **Water and Wastewater**

The area is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing.



Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

**Compatibility Standards**

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district/use will be subject to compatibility development regulations.



## PETITION

Case Number:

**C14-2008-0003**  
**1715 W 35TH STREET**

Date:

Mar. 13, 2008

Total Area within 200' of subject tract: (sq. ft.)

**21994.29445**

1	<u>01-2001-0933</u>	<u>WEST END</u>	<u>21994.29445</u>	<u>100.00%</u>
2	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
3	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
4	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
5	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
6	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
7	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
8	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
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25	<u></u>	<u></u>	<u></u>	<u>0.00%</u>

Validated By:

Stacy Meeks

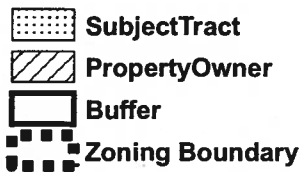
Total Area of Petitioner:

21,994.29

Total %

100.00%





CASE#: C14-2008-0003  
ADDRESS: 1715 W 35TH ST  
GRID: H25  
CASE MANAGER: W. WALSH



This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**PETITION**

Date: March 12, 2008

File Number: C14-2008-0003

Address of

Rezoning Request:

1715 West 35<sup>th</sup>

Austin, Texas 78703

To: Austin City Council

My name is Roya Johnson; my company, West End Properties, Inc., owns the property located at 1715 West 35<sup>th</sup> Street, Austin, Texas 78703. I, the owner/president of West End Properties Inc., object to any change of the Land Development Code, which would zone the property to any classification other than VMU.

I believe VMU is the best use for this property. West 35<sup>th</sup> street is one of the main Austin streets which can be much more pleasant then it is. I think the VMU zoning allowed in other areas throughout the City of Austin (a good example is 2<sup>nd</sup> street, downtown) would be great for our street. Under VMU zoning, 35<sup>th</sup> street would offer not only great retail shops and offices, but also affordable living quarters, specially, for many of us who work and live in the area. My husband and I are planning to live in a unit we will develop under VMU zoning. Currently there are 4 businesses in the building, 3 retail shops and our real estate office. Our plan has always been to redevelop the property as VMU and live in one of the units. We bought the property, and held it, with this in mind, so we can live there when we retire. This property is our retirement savings and place for us to live. I believe neighborhood associations would like to see property owners who have vast interest in Central West Austin Neighborhood and care about its well being to be able to hold on their properties and live and work at their properties. We are such property owner. Both my husband and I have lived and worked in Central West Austin for last 36 years.

As many of you know, property taxes in Austin are very high. Limiting the use is not realistic to land owners financial restraints. By limiting the use of the land, you will be forcing many small business owners like us to sell rather than improve. The best use of the property is both, being able to live and work here; we bought the properties relying on the ability to live above our businesses. VMU usage is common through out the world. Some of the most beautiful cities are Paris, London, Venice, Madrid, and others which make use of VMU. Restricting land limits the best use of property, because it forces us to sell our properties to developers who have the kind of finances and power to develop this whole block into big commercial buildings (an example are the big medical buildings on 38<sup>th</sup> street). I believe most people will benefit from the fruits of a nice VMU zone,



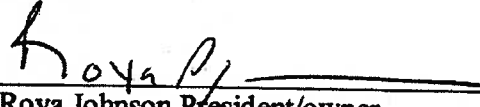
rather than the zoning of those huge buildings just few blocks down the street. With VMU Zoning you are enabling the people, who work in neighborhood is able to live in the neighborhood, therefore cutting down on traffic and commuting which will benefit all.

As a resident of Central West Austin since 1972, a property owner, and one of the most active realtors in the area for over 26 years, I truly enjoy doing business in West Austin and living in a centrally located, close-in neighborhood. We have vast interest and want to keep our neighborhood consistent and beautiful, but I believe it to be very short sighted if we don't allow VMU zoning on West 35<sup>th</sup> street for properties like ours. My husband, our children and I love living in West Austin; we have for the last 36 years. I believe the best use for these properties located on West 35<sup>th</sup> street, from (Loop 1) MoPac to Lamar, is VMU.

We should keep our street attractive to business and living, and prevent big developers from purchasing the block and putting up huge commercial buildings, or building hospitals. If some owners elect to keep their CS zoning, that should be their option, but we should not be forced to sell, or modify our dreams. I believe a VMU use zone will enhance the neighborhood and make our neighborhood more user-friendly and livable. This will give property owners an option to hold on their properties and makes it easy for them to develop their properties so that they can work and live in Central West Austin.

I pray that you will look at the facts and plan for long term and allow VMU zoning for our property on 1715 West 35<sup>th</sup> Street. Families like us who own these properties and businesses offer valuable services to the area. We are part the neighborhood and want to continue to be a valuable part of neighborhood. As business owners we have always been an integral part of the Austin Community for the last 36 years. We want to keep Austin beautiful and living in Central West Austin pleasant just like the neighborhood associations do.

Sincerely,

  
\_\_\_\_\_  
Roya Johnson President/owner  
1715 West 35<sup>th</sup> Ste 102  
Austin, Texas 78703  
512-472-1000

3/12/08



## PLANNING COMMISSION HEARING

DATE: January 29, 2008

TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: February 14, 2008

TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the vertical mixed use application for the Windsor Road Neighborhood Planning Area, please call Wendy Rhoades at (512) 974-7719 or email at: [wendy.rhoades@ci.austin.tx.us](mailto:wendy.rhoades@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Wendy Rhoades, Austin, TX 78767-8835.

File # C14-2008-0003

Planning Commission Hearing Date: January 29, 2008

Name (please print) Roya Johnson / West End Properties ☐

Address 1715 W. 35th St 78703 ☐

See attached Petition

I am in favor

(Estoy de acuerdo)

I object

(No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates neighborhood recommendations and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

During its public hearing, the board or commission may postpone or continue an applicant's hearing to a later date. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.



## VERTICAL MIXED USE (VMU) OPT-IN/OPT-OUT APPLICATION

The purpose of this application is to provide recommendations on the location and standards for Vertical Mixed Use within the below named area.

**Detailed instructions for completing this application can be found by clicking on this link: [ftp://coageoid01.ci.austin.tx.us/GIS-Data/planning/CommercialDesign/vmu\\_instructions.pdf](ftp://coageoid01.ci.austin.tx.us/GIS-Data/planning/CommercialDesign/vmu_instructions.pdf). Please read these instructions prior to completing this application.** A "Submittal Checklist" is provided at the end of this document to help ensure that all application materials are included in the neighborhood submittal.

If you have questions or need additional information please contact the VMU Help Line at:

[vmu@ci.austin.tx.us](mailto:vmu@ci.austin.tx.us)

or

(512) 974-2150

- ✓ 1. IDENTIFY YOUR NEIGHBORHOOD PLANNING OR APPLICATION AREA AND PROVIDE THE FOLLOWING INFORMATION:

**A. NAME OF NEIGHBORHOOD PLANNING AREA OR VMU APPLICATION AREA\*:**

Bryker Woods Neighborhood (Windsor Road NP)

\*Note: A map of the Neighborhood Planning and VMU application areas can be found by clicking on this link: <ftp://coageoid01.ci.austin.tx.us/GIS-Data/planning/maps/CommercialDesign/VerticalMixedUseColorMap.pdf>. This map also shows properties within the VMU Overlay District and properties with the MU Combining District that are included in the opt-in/opt-out process.

**B. NAME OF NEIGHBORHOOD PLANNING TEAM CHAIR OR NEIGHBORHOOD ASSOCIATION CHAIR AND SECONDARY CONTACT.**

**NEIGHBORHOOD PLANNING TEAM OR NEIGHBORHOOD ASSOCIATION CHAIR CONTACT INFORMATION:**

NAME Edward Tusch

PHONE 512. 478. 1337

E-MAIL edward@brykerwoods.org

MAILING ADDRESS 1710 Northwood Rd. 78703



**SECONDARY CONTACT INFORMATION:**

NAME Derek Barcinski

PHONE 512.914.0317

E-MAIL dbarcinski@aol.com

MAILING ADDRESS 3211 Glenview Ave. 78703

✓ 2. **PRINT AND REVIEW THE DETAILED MAPS FOR YOUR AREA**

Detailed maps for each application area can be found by going to the map located at the bottom of [www.ci.austin.tx.us/planning/verticalmixeduse.htm](http://www.ci.austin.tx.us/planning/verticalmixeduse.htm).

✓ 3. **IF YOUR AREA HAS PROPERTIES IN THE VMU OVERLAY DISTRICT COMPLETE THE ATTACHED VMU OVERLAY DISTRICT FORM.**

See Instructions for VMU Opt-In/Opt-Out Process for more detail.

A blank copy of the VMU Overlay District form is provided below. Please print additional copies as needed.



# VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA:			PAGE of	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
3405 Oakmont	X				
1811 West 35 <sup>th</sup>	X				
1809 "	X				
1807 "	X				
1721 "	X				
1715 "	X				
1701 "	X				
3427 Jefferson	X				
3411 Glenview	X				
1601 West 35 <sup>th</sup>	X				
<del>1511 West 35<sup>th</sup></del>					
1515 West 34 <sup>th</sup>	X				
3501 Crawford	X				

\* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.



✓ 4.

**IF YOUR AREA HAS PROPERTIES OUTSIDE OF THE VMU OVERLAY DISTRICT ON WHICH THE NEIGHBORHOOD WISHES TO PERMIT VMU COMPLETE THE ATTACHED VMU OPT-IN FORM.**

See Instructions for VMU Opt-In/Opt-Out Process for more detail. Note: If your area does not wish to recommend VMU for properties outside of the VMU Overlay District no application is required.

A blank copy of the VMU Opt-In form is provided below. Please print additional copies as needed.

N/A



[illegible]



\* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

**5. IDENTIFY A RECOMMENDED LEVEL OF AFFORDABILITY FOR FUTURE VMU RENTAL UNITS.**

Indicate a level of affordability for residential rental units. The affordability requirements are triggered only when a VMU Building takes advantage of the dimensional standards and parking reductions approved for a site.

Note: A single affordability level applies to all VMU-eligible properties within the application area. See Instructions for VMU Opt-In/Opt-Out Process for more detail.

Recommended Affordability Level for VMU-eligible properties (check one):

\_\_\_\_\_ 80% of median family income

\_\_\_\_\_ 70% of median family income

X \_\_\_\_\_ 60% of median family income

\_\_\_\_\_ Other level between 60-80% of median family income

**6. PLEASE PROVIDE THE FOLLOWING INFORMATION:**

**A. The following questions refer to the official vote taken by the Neighborhood Planning Team or Neighborhood Association on the Opt-In/Opt-Out application.**

A. Was the vote taken in accordance with the Neighborhood Plan Team or Neighborhood Association by-laws?

Yes X No \_\_\_\_\_

*If No, please explain why and how the vote was taken. For example: multiple neighborhood associations were involved with the vote and each association has different by-laws.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**B. Please provide the results of the vote:**

For 23 Against 0  
Neighborhood Planning and Zoning Department



C. Number of people in attendance at the meeting: 25

D. Please explain how notice of the meeting at which the vote was taken was provided:

- email distribution  
- neighborhood listserve  
- neighborhood website

✓ E. Please attach a copy of the notice of the meeting at which the vote was taken.

✓ F. Please provide a copy of the meeting minutes at which the vote was taken.

G. Please read and sign the following:

THE ABOVE STATED INFORMATION IS ACCURATE AND COMPLETED IN ACCORDANCE WITH :

Neighborhood Plan Team By-Laws: ✓  
Neighborhood Association By-Laws: ✓  
Other, as described in question A., above: ✓

Edward Jasch  
SIGNATURE OF CHAIR (OR DESIGNEE)

06-04-07  
DATE

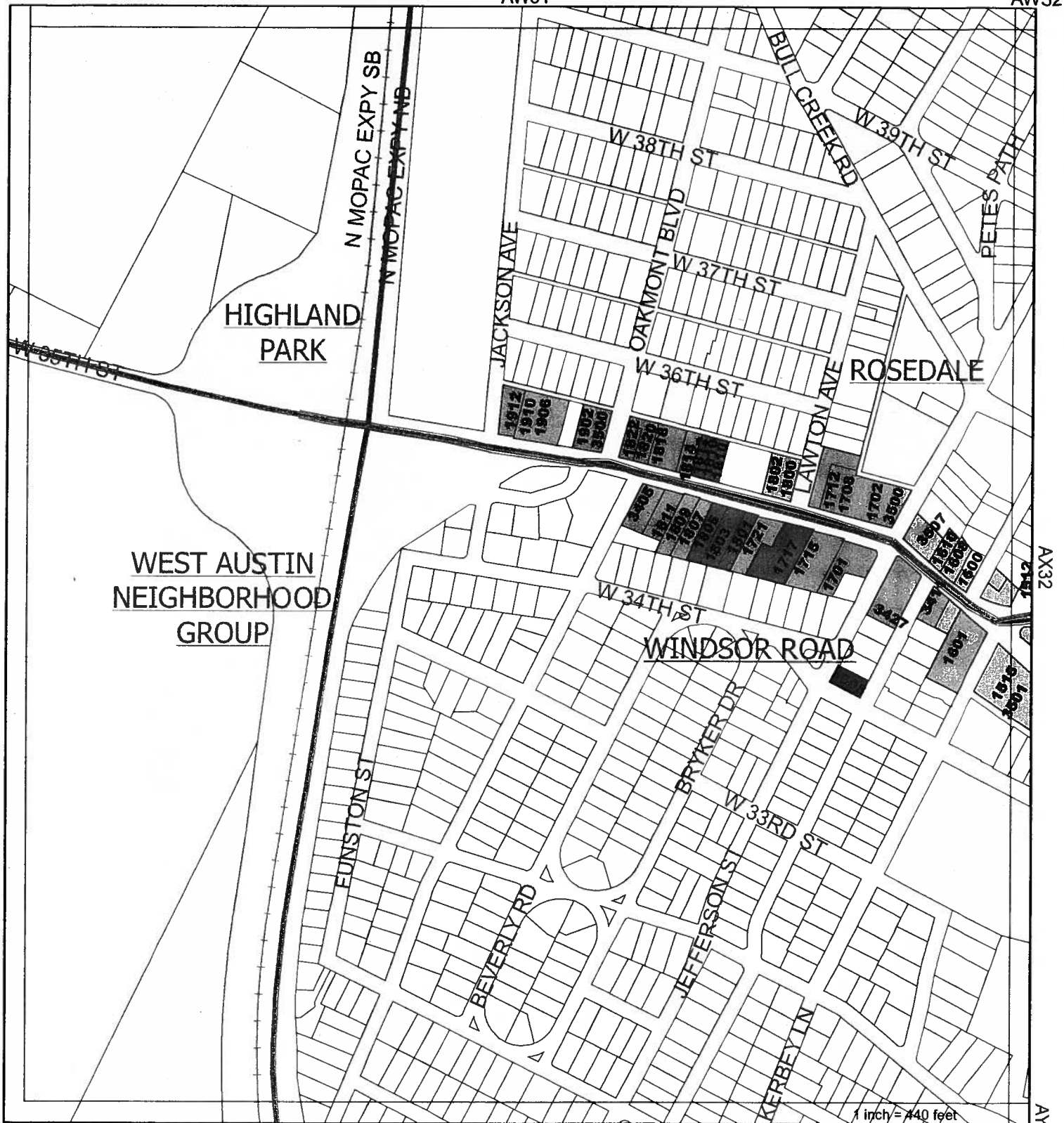
**7. MAIL COMPLETED APPLICATION AND DETAILED MAPS TO:**

Neighborhood Planning and Zoning Department  
Attn: George Adams  
P.O. Box 1088  
Austin, TX 78767

or, drop-off at the NPZD office at:

One Texas Center  
505 Barton Springs Road, 5<sup>th</sup> floor





**Detailed Maps for Vertical Mixed Use  
Opt-in/Opt Out Process  
Grid Page: AX31**

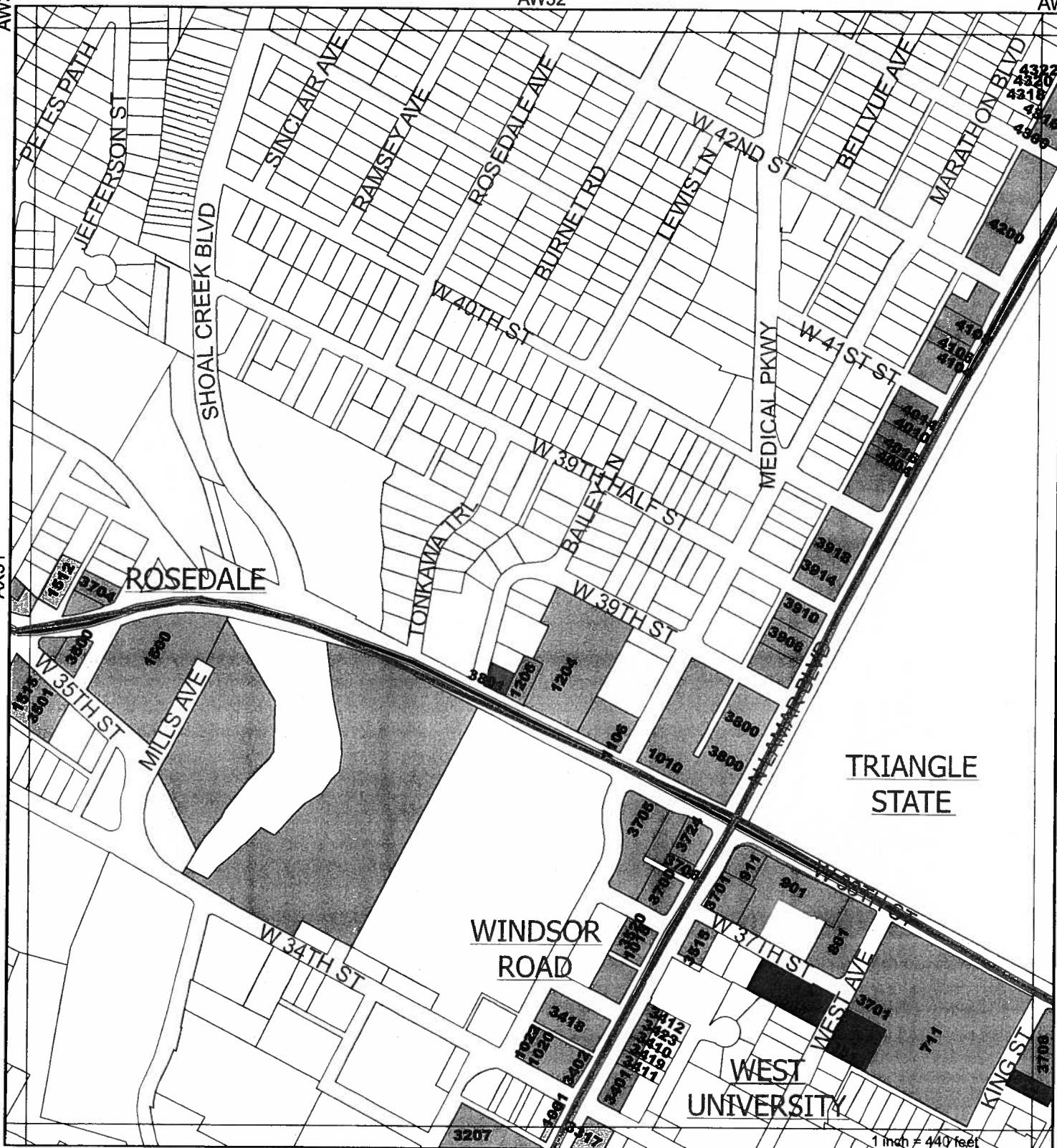









Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.  
Vertical Mixed Use Map Grids Black and White.mxd

**Legend**

- Planning Areas
- Core Transit Corridor
- Future Core Transit Corridor
- Vertical Mixed Use Overlay District ("Opt-out")
- VMU Residentially Used Properties ("Opt-in")
- Mixed Use Combining Districts ("Opt-in")
- TCAD Parcels





- Legend**
-  Planning Areas
  -  Core Transit Corridor
  -  Future Core Transit Corridor
  -  Vertical Mixed Use Overlay District ("Opt-out")
  -  VMU Residentially Used Properties ("Opt-in")
  -  Mixed Use Combining Districts ("Opt-in")
  -  TCAD Parcels



**BrykerWoods Neighborhood Association (BWNA)**  
**May 22nd Board Meeting Agenda**  
**Howson Library - 7pm**

1. **Greetings, call to order and meeting agenda overview** (assign task of meeting minutes)
2. **Approval of April BWNA meeting minutes** – note that the April BWNA meeting was canceled due to severe weather (no minutes to approve)
3. **Neighborhood communications** (comments/statements/requests)
4. **Meeting business items** (listed below)
  - BWNA reports:
    - Treasury (Bill)
    - Social Committee (Cord Dover)
    - MONAC update (Joyce)
    - Zoning Committee (Bill & Joyce)
  - BWNA neighborhood Spring '07 survey (report)
  - Intrusive commercial parking on Oakmont – BWNA drafting letter to City
  - Neighborhood street 25 mph speed limit request for Northwood Rd. and 29<sup>th</sup> Streets (any other streets in need on 25mph speed limit signs?)
  - ***Vertical Mixed Use (VMU) - public meeting, discussion and neighborhood vote, see handouts and maps***
5. **Discussion/action for neighborhood comments/statements/requests**
6. **Adjourn meeting by 8:50pm** (next BWNA meeting is June 19th)



# BRYKER WOODS NEIGHBORHOOD ASSOCIATION

Profile of BrykerWoods  
Historical Information  
BrykerWoods Elementary  
Neighborhood Parks  
City and Neighborhood Links

• Neighborhood News  
BWNA Newsletter Archive  
#19 CapMetro Bus Schedule  
Neighborhood Forum  
MoPac Improvement Study

## Bryker Woods Neighborhood News

- [Read the latest BrykerWoods Herald Newsletter](#)
- [Visit and contribute to the BWNA newsgroup!](#)
- [Old West Austin Historical District \(OWAHD\)](#)
- [Purchasing a home in BrykerWoods? \(read this\)](#)
- [Learn how to protect & preserve neighborhood trees](#)
- [Latest MoPac highway construction information](#)
- [Traffic problems within the Neighborhood](#)
- [State of the Neighborhood \(message from president\)](#)
- [Join the Bryker Woods Neighborhood Association!](#)

---> Read the latest BWNA  
Herald newsletter!

Inappropriate



## Help Create the Central West Austin Neighborhood Plan!

You're invited to join your neighbors to create a vision for the future of the Tarrytown, Bryker Woods, and Pemberton Heights Neighborhoods through the Central West Austin Neighborhood Plan.

**Neighborhood Plan Kickoff Meeting**  
Thursday, June 21 6:30 - 8:30pm

Lions Club House @ Lions Municipal Golf Course  
2901 Enfield Road

This meeting is intended for home-owners, renters, business owners and employees, non-resident property owners, institutions such as churches and schools, non-profit groups, and anyone else interested in the Central West Austin neighborhood. If you meet any of these descriptions, you are a stakeholder in the planning process. As a stakeholder, you have an important voice in determining the future of your neighborhood. Even if you cannot attend the Kickoff, you can participate in the planning process at any time, but you are encouraged to get involved early in the process. The Neighborhood Planning Process will address a number of important issues, including:

- Parks & the Environment
- Transportation
- Urban Design/Neighborhood Character
- Land Use & Zoning (properties may be rezoned as a result of the planning process)

### How can I get involved?

- Take the Survey at: [http://www.ci.austin.tx.us/zoning/central\\_west\\_austin.htm](http://www.ci.austin.tx.us/zoning/central_west_austin.htm)

This website will also contain other important information about this planning process. If you do not have access to a computer, call (512) 974-2865 or (512) 974-6355 and Neighborhood Planning staff will send you a copy of the survey and a return envelope.

The purpose of this survey is to provide Neighborhood Planning staff with a general understanding of the issues in your neighborhood. Preliminary survey results will be available at the Kickoff Meeting. *Please complete the survey before Friday, June 15, 2007.*

- Sign up for the Interest List



At the end of the survey, please provide your contact information if you would like to be notified about future meetings. A large and diverse number of stakeholders is important to a successful neighborhood planning process, so we welcome and encourage your participation.

- Attend planning meetings

Below is a list of upcoming meetings. Try to attend these and as many future meetings as you can. If you can't attend a meeting, look for the meeting minutes on the Central West Austin Neighborhood Plan website:

[http://www.ci.austin.tx.us/zoning/central\\_west\\_austin.htm](http://www.ci.austin.tx.us/zoning/central_west_austin.htm).

## Vertical Mixed Use and the BrykerWoods Neighborhood

Please see the information below and visit the city of Austin [website to learn more of VMUs](#) (Vertical Mixed Use zoning.) Documents, maps and public informational meeting times/dates are posted and made available. The issue of VMUs is important for the BrykerWoods neighborhood because the 35th Street corridor is considered eligible for such category of zoning.

**The next BWNA board meeting\* will be on Tuesday evening May 22nd and meeting topic will be the city's VMU concept and how it might effect BrykerWoods. At this meeting the BrykerWoods neighborhood will officially vote to "opt-in" or opt-out" of the city's proposed VMU overlay. Attend the May22nd meeting to learn more and share your opinion. Come to the meeting and let the BWNA know what you think of the VMU concept!**

*\* This meeting as well as the other BWNA monthly meetings is open to all and held on the third Tuesday evening (7pm) at the Howson Library in Tarrytown on Exposition Blvd.*

## BWNA Neighborhood Survey to be delivered Spring '07

The Bryker Woods Neighborhood is beginning the City of Austin neighborhood planning process. This process is an opportunity for neighbors to outline how our neighborhood will go forward. The neighborhood plan is a city action and is by definition quite inclusive - all property owners (residential and commercial) will be asked for input. Bryker Woods last underwent a similar process in 1987. Since then, pressures of central city redevelopment leave our neighborhood in real need of direction as determined by neighborhood residents.

For City purposes, Bryker Woods Neighborhood has been combined with the West Austin Neighborhood Group (west of Mopac) and the Pemberton Heights Neighborhood (south of Bryker Woods) to form a "greater" west Austin planning area. Although a timeline does not exist at this point, it is expected that the process will begin sometime this year and will be carried out for many months. The City will initiate conversations with respective neighborhood association leaders. After that, the City will seek input from residents and owners of the planning area. As opportunities develop for neighborhood participation, the city will notify both residents and area businesses. This process will be comprehensive, inclusive and extensive in duration. Everyone is encouraged to participate.

At this time the Bryker Woods Neighborhood Association (BWNA) is seeking to learn what is important to Bryker Woods Neighborhood residents. To be distributed is an initial neighborhood survey issued by the BWNA independent of the city. As we engage in the City planning process with other neighborhoods, it is imperative that we determine what is important to the residents. The objective is to get an idea of issues important to Bryker Woods Neighborhood and "take a neighborhood pulse" on issues with which the BWNA has been involved.

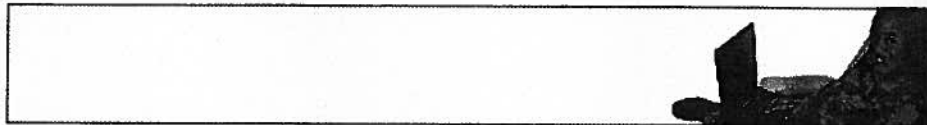
It is the Bryker Woods Neighborhood Association's hope that everyone will participate in the neighborhood planning process. Keep watch for the delivery of the BWNA resident survey - please complete and return the survey by specified date. This survey is just the start of our neighborhood planning process. Take this opportunity to let the BWNA know how you feel about various issues. Your voice is important and now is the time to express your opinion on how and in which direction the Bryker Woods Neighborhood will proceed. Thanks!





The Leader in Email Discussion Lists

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BWNA

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## BrykerWoods Neighborhood (VMU meeting notice)

edward tasch

May 16, 2007 19:46 PDT

Greetings BrykerWoods neighbors,

I am writing for 2 reasons. First, to let you know of an upcoming neighborhood vote on the city's "VMU" (Vertical Mixed Use zoning) concept and second, to remind you to return your completed BrykerWoods neighborhood survey if you have not already.

### Vertical Mixed Use and the BrykerWoods Neighborhood

The next BWNA board meeting\* will be on Tuesday evening May 22nd and meeting topic will be the city's VMU concept and how it might effect BrykerWoods. At this meeting the BrykerWoods neighborhood will officially vote to "opt-in" or opt-out" of the city's proposed VMU overlay. The issue of VMU's is important for the BrykerWoods neighborhood because the 35th Street corridor is considered eligible for such category of zoning.

Attend the May22nd meeting to learn more and share your opinion. Come to the meeting and let the BWNA know what you think of the VMU concept! More information on VMU's can be found at <http://www.BrykerWoods.org> ('Neighborhood News' section)

\* This meeting as well as the other BWNA monthly meetings is open to all and held on the third Tuesday evening (7pm) at the Howson Library in Tarrytown on Exposition Blvd.

### BrykerWoods Neighborhood Survey

Also, please complete and return your BWNA survey if you have not already. Every property owner within the neighborhood was sent a BrykerWoods Neighborhood Association (BWNA) Survey. If you have completed and returned your copy of the survey, thank you! And if you did not receive a BWNA survey or misplaced your copy, I have several copies left - just email me your physical mailing address and I will send you another survey.

More information about the BWNA survey and the upcoming city of Austin Neighborhood Planning process for BrykerWoods may be found at <http://www.BrykerWoods.org> ('Neighborhood News' section)

The BrykerWoods Neighborhood will soon be undergoing official "neighborhood planning" and the topic of VMU is just the start of the discussion of neighborhood 'land use.'

Many thanks for your interest and support of the BrykerWoods neighborhood!

Edward Tasch  
512.478.1337  
BWNA President

### Check It Out!



### Topica Channels

[Best of Topica](#)  
[Art & Design](#)  
[Books, Movies & TV](#)  
[Developers](#)  
[Food & Drink](#)  
[Health & Fitness](#)  
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[Personal Technology](#)  
[Small Business](#)  
[Software](#)  
[Sports](#)  
[Travel & Leisure](#)  
[Women & Family](#)

### Start Your Own List!

Email lists are great for debating issues or publishing your views.

• [Start a List Today!](#)



Minutes on the VMU part of the BWNA May 22<sup>nd</sup> meeting:

1. You have the sign-in sheet with number of attendees.
2. Derek gave an overview of the City's VMU proposal and process drawing on the online material provided by the City and the information conveyed at the information sessions sponsored by Council Member McCracken. Maps and City of Austin information were made available to all participants.
3. Derek advised those assembled that the Bryker Woods Neighborhood Association was recommending for consideration of the neighborhood that we opt out of those VMU properties on W.35th Street (a core transit corridor) west of Kerbey Lane and not opting out of other VMU eligible properties to the east.
4. The floor was opened for discussion and the subject was debated. Concern was expressed over the fact that the City had included within the VMU overlay district certain property (parcels 1515 and 3501) located on that portion of 35th Street past the cut-off, dividing 35th Street and 38th Street. This portion of 35th St. heads south east toward Mills Ave. The opinion was expressed that this portion of 35th Street was not a core transit corridor, and, in any event, this property has very difficult ingress/egress issues even for the low density development that exists on the property today because of the speed and volume of traffic and the proximity of three commercial driveways and an irregularly configured intersection. Additionally, it was noted that there are four residences within 100 feet and an elementary school within an estimated 300 feet of the property in question.
5. After further discussion a motion was made to "opt out" parcels numbered [list parcels] being all of those properties in the proposed VMU overlay district which are south of 35th Street and west of Shoal Creek, to not "opt in" to any eligible parcels. Among the reasons discussed in support of this motion were the following:
  1. The subject VMU Overlay District properties west of Kerbey Lane all about single family homes.
  2. In the case of parcels 1515 and 3501, they are separated from single family homes only by an alley, are not on a core transit corridor, are very close to Bryker Woods Elementary and have dangerous ingress and egress onto West 35th.
  3. The VMU Overlay District does not require development to provide residential parking meeting the minimum parking standards of other multifamily districts.
  4. The Bryker Woods neighborhood currently has a problem with commercial parking on residential streets in the immediate vicinity of the proposed VMU Overlay District.
  5. The Bryker Woods neighborhood currently has a problem with cut-through traffic on residential streets in the immediate vicinity of the proposed VMU Overlay District.
  6. In June 2007, the Bryker Woods neighborhood is beginning its City sponsored neighborhood planning process and it would undercut that process to create an overlay district immediately in advance of the start of that process.
  7. It will still be possible to consider the advisability of vertical mixed use on properties south of 35th Street and west of Shoal Creek during the neighborhood planning process. Additionally there are other VMU properties within the Central Austin planning area to the east of Shoal Creek that will be incorporated into the plan should their VMU status be confirmed by the City Council.
6. The motion was seconded. On a show of 23 hands the motion was unanimously adopted.



**VERTICAL MIXED USE APPLICATION  
SUBMITTAL CHECKLIST**

- ☒ 1. Completed application with signature of chairperson.
- ☒ 2. Detailed maps showing locations of properties opted-in or opted-out.
- ☒ 3. Completed VMU Opt-Out Form, if applicable
- ☒ 4. Completed VMU Opt-In Form, if applicable.
- ☒ 5. Copy of the notice of the meeting at which the vote was taken.
- ☒ 6. Copy of the meeting minutes at which vote was taken.



Windsor Road Planning Area VMU Application Properties  
C14-2008-0003

Vertical Mixed Use (VMU) Overlay District Properties				
Tract # (1)	TCAD Property ID (2)	COA Address (3)	FROM	TO
1	120327	1809 W 35TH ST	LR	LR-V
	120328	1807 W 35TH ST	LR	LR-V
	120350	1815 W 35TH ST	LR	LR-V
	120351	1811 W 35TH ST	LR	LR-V
2	120332	1721 W 35TH ST	LO	LO-V
3	120334	1701 W 35TH ST	CS	CS-V
	120352	1707 W 35TH ST	CS	CS-V
		1715 W 35TH ST		
4	119377	3427 JEFFERSON ST	CS; LR	CS-V; LR-V
5	119423	3411 GLENVIEW AVE	GR	GR-V
	119424	0 W 35TH ST E 50 FT OF LOT 7 GLENVIEW ADDN	LR	LR-V
	119425	1601 W 35TH ST	LR; LR-CO; LO	LR-V; LR-V-CO; LO-V
		1605 W 35TH ST		
		3406 KERBEY LN		
6	119477	1515 W 35TH ST	GR-MU-CO	GR-MU-V-CO
		3501 MILLS AVE		
7	119491	3500 CRAWFORD AVE	GR	GR-V
	119492	0 W 35TH ST SE TRI OF LOT 2 *& W 62.5 FT OF LOT 3-6 *LESS 1401 SQ FT GLENRIDGE PLUS ADJ VAC ALLEY	GR	GR-V
8	119486	1500 W 35TH ST	GR	GR-V
9	119489	0 MILLS AVE BLK 12-14 GLENRIDGE PLUS 1/2 ADJ VAC STREET	GO	GO-V
10	499914	1301 1/2 W 38TH ST	GO	GO-V
		1301 W 38TH ST		
		1320 W 34TH ST		
		1330 1/2 W 34TH ST		

ATTACHMENT 2



**Windsor Road Planning Area VMU Application Properties**  
C14-2008-0003

<b>Vertical Mixed Use (VMU) Overlay District Properties</b>				
<b>Tract # (1)</b>	<b>TCAD Property ID (2)</b>	<b>COA Address (3)</b>	<b>FROM</b>	<b>TO</b>
11	214609	0 W 38TH ST ABS 697 SUR 7 SPEAR G W ACR .2486 (PRORATE 8/10/07 TO 12/31/07)	CS	CS-V
	214610	3706 N LAMAR BLVD	CS	CS-V
	214612	3724 N LAMAR BLVD	CS	CS-V
	Portion of 214613	3705 1/2 MEDICAL PKWY 3705 MEDICAL PKWY	CS	CS-V
12	214611	3700 N LAMAR BLVD	CS	CS-V
13	214605	1015 W 37TH ST	CS	CS-V
		3520 N LAMAR BLVD		
15	214603	3418 N LAMAR BLVD	CS	CS-V
16	214604	1020 W 34TH ST	CS; CS-1	CS-V; CS-1-V
		3402 N LAMAR BLVD		
17	214601	1001 W 34TH ST	CS	CS-V
18	214595	1004 W 32ND ST	CS; GO; GO-MU	CS-V; GO-V; GO-MU-V
		3207 MEDICAL PKWY		
		3304 1/2 N LAMAR BLVD		
19	214591	3110 N LAMAR BLVD	CS	CS-V
	214592	3108 N LAMAR BLVD	CS; GO	CS-V; GO-V
20	214587	3100 N LAMAR BLVD	CS	CS-V
21	211082	1001 1/2 W 31ST ST	CS; GR; GO	CS-V; GR-V; GO-V
		1001 W 31ST ST		

(1) The tract number refers to the numbered tracts on the Vertical Mixed Use

(VMU) Tract Map.

(2) Each TCAD Property ID number represents a separate property, as recorded by the Travis Central Appraisal District.

(3) The COA Addresses listed for each property are those addresses on file with the city pertaining to that property. If a COA address was not available for a property the TCAD address and/or legal description was used.



**Windsor Road Planning Area VMU Neighborhood Recommendations  
C14-2008-0003**

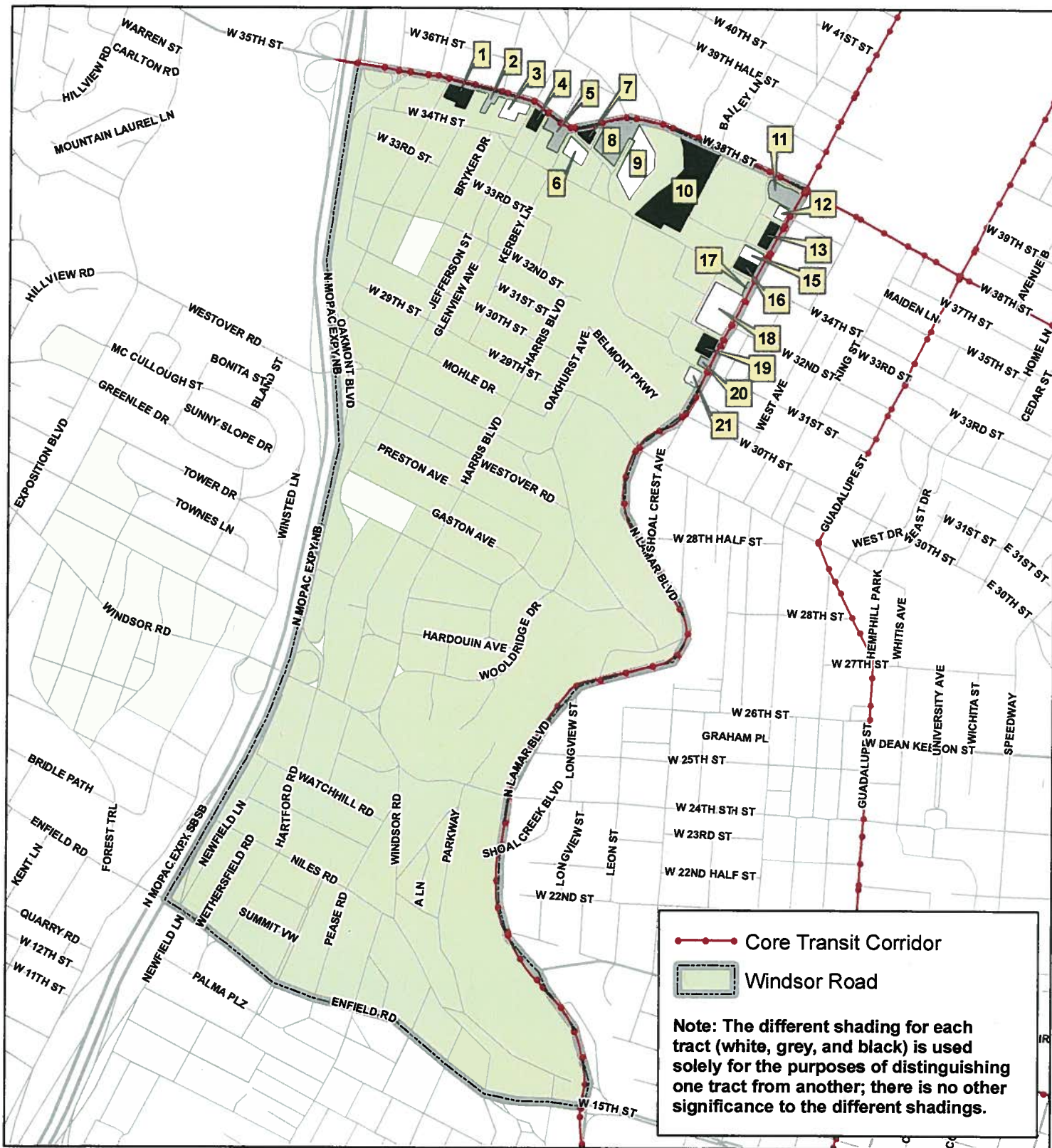
VMU Overlay District					
Tract # (1)	All VMU-Related Standards Apply	OPT OUT (2)			Exclude from VMU Overlay District
		Dimensional Standards	Parking Reduction	Additional Ground Floor Uses in Office Districts	
1-6					X
7-21	X				

**RECOMMENDED AFFORDABILITY LEVEL FOR 10% OF RESIDENTIAL UNITS FOR RENTAL WITHIN A VERTICAL MIXED USE BUILDING: 60%**

- (1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.  
 (2) Please refer to attached information for explanations of Opt-In and Opt-Out options.

*ATTACHMENT 3*



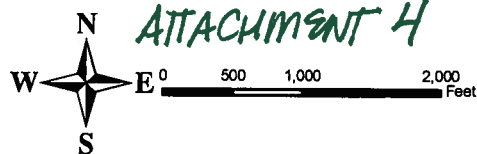


# **Windsor Road Neighborhood Planning Area VMU Overlay District Tract Map C14-2008-0003**



Produced by City of Austin  
Neighborhood Planning and Zoning Dept.  
January 10, 2008

Please refer to attached tables "Windsor Road Planning Area VMU Application Properties" and "Windsor Road Planning Area VMU Neighborhood Recommendations" for more information.



This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.





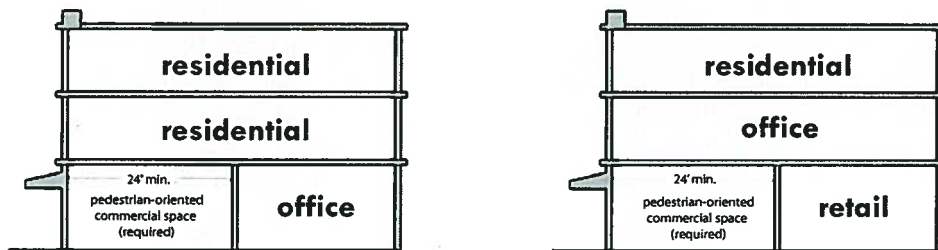
**1" = 600'**



# **OVERVIEW OF VERTICAL MIXED USE (VMU) AND THE VMU OPT-IN/OPT-OUT PROCESS**

## **WHAT IS A VERTICAL MIXED USE BUILDING?**

A vertical mixed use building contains a mix of residential and commercial uses. Typically, commercial uses (i.e. retail shops, restaurants, offices) are located on the ground floor, while residential units (condominiums or apartments) are located on upper levels. Below, are some examples of a vertical mixed use building:



## **WHAT IS THE VERTICAL MIXED USE (VMU) OVERLAY DISTRICT?**

In an effort to encourage vertical mixed use buildings, the City Council established a vertical mixed use (VMU) overlay district. The district includes most commercially zoned and used properties along Core Transit Corridors and Future Core Transit Corridors as defined in the Commercial Design Standards. Core Transit Corridors include roadways that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. Examples include sections of South Congress Avenue, Riverside Drive, North and South Lamar Boulevard, and Guadalupe Street. Properties within this district have the additional option to develop a vertical mixed use building subject to specific design standards.

## **WHY VERTICAL MIXED USE BUILDINGS?**

- Encourages density on commercial corridors with higher levels of transit service
- Focused on the creation of a high quality pedestrian and transit-supportive environment
- Consistent with Envision Central Texas (ECT) Preferred Scenario
- Provides a more sustainable development pattern

## **WHAT ARE THE STANDARDS FOR A BUILDING?**

- Must have a mix of uses
- Must have pedestrian-oriented spaces on the ground floor
- Must contain residential dwelling units
- Possibility for relaxed site development standards—some of which require a residential affordability component



## WHAT ARE THE RELAXED SITE DEVELOPMENT STANDARDS?

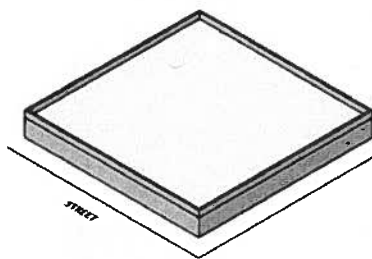
### Dimensional Standards

These dimensional standards listed below are a “package” and must be accepted or rejected as such in the opt-in/opt-out process.

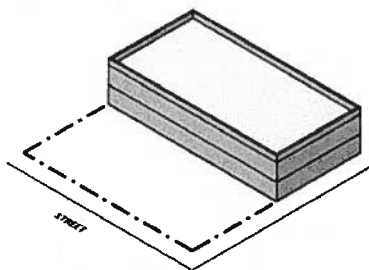
- Setbacks—no minimum front, street side or interior side yard setbacks. A setback refers to how far a building must be placed from a particular property line.
- Floor to Area Ratio—no floor to area ratio (FAR) limit.

The floor area ratio (FAR) is the principal bulk regulation controlling the size of buildings. FAR is the ratio of total building floor area in relation to the area of its zoning lot. Each zoning district has an FAR control which, when multiplied by the lot area of the zoning lot, produces the maximum amount of floor area allowable in a building on the zoning lot.

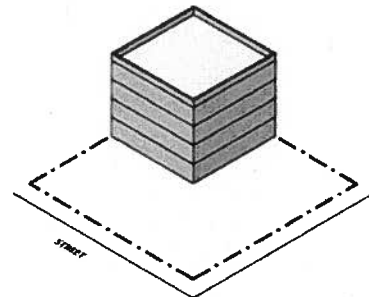
For example, on a 10,000 square-foot zoning lot in a district with a maximum FAR of 1.0, the floor area of a building cannot exceed 10,000 square feet.



**FAR=1.0**  
**10,000 sq. ft. building**  
**covering 100% of lot**



**FAR=1.0**  
**10,000 sq. ft. building**  
**covering 50% of lot**



**FAR=1.0**  
**10,000 sq. ft. building**  
**covering 25% of lot**

- Building Coverage—no building coverage limit. Most zoning districts place a percentage limit on the amount of a lot that may be covered by a building. This provision would not change the amount of impervious cover allowed on site. Impervious cover is anything that stops water from being absorbed into the ground and includes such things as buildings, driveways, and sidewalks.
- Minimum Site Area—no “minimum site area” requirements. Site area requirements limit the number of dwelling units on a site by requiring a certain amount of square footage at a site for a specific type of multi-family unit (efficiency, one-bedroom, two-bedroom, etc.). For example, if a zoning district for a 10,000 square foot lot requires 2,500 square feet for each two-bedroom unit, then four two-bedroom units can be built on that lot.

### Off-Street Parking Reduction

Minimum off-street parking for the commercial uses within a VMU building can be reduced to 60% of the normal Land Development Code requirements. Residential uses within a VMU building receive this parking reduction by right and cannot be changed through this process. The parking reduction cannot be used in addition to any other parking reduction allowances



such as the one for properties within the Urban Core. Below are some typical uses and the amount of parking required.

- A small restaurant or bar, billiard parlor—one space per 100 sq/ft of floor space
- Convenience Store, bank, bowling alley, liquor store, barber shop, yoga studio, pet shop—one space per 275 sq/ft of floor space
- Furniture or carpet store—one space per 500 sq/ft of floor space

#### Additional Ground Floor Commercial Uses in Office Districts

If approved through the opt-in/opt-out process, the following commercial uses will be allowed in a VMU building in an office zoning district (**NO, LO, GO**):

- Consumer convenience services (allows private postal boxes, safety deposit boxes, and ATMs)
- Food Sales (allows grocery stores, delicatessens, meat markets, retail bakeries, and candy shops),
- General Retail Sales Convenience and General (allows a full range of retail establishments)
- Restaurants Limited and General (without drive-thrus).

Zoning use information can be found starting on page 45 of the following document:  
[http://www.ci.austin.tx.us/zoning/downloads/np\\_guide.pdf](http://www.ci.austin.tx.us/zoning/downloads/np_guide.pdf).

#### **WHAT IS THE OPT-IN/OPT-OUT PROCESS?**

The City Council established a one-time process whereby neighborhoods provided recommendations on the location and the development characteristics of Vertical Mixed Use (VMU) buildings. Application materials were sent to each registered neighborhood planning team, or neighborhood association if there was not an established planning team.

The Neighborhood Planning & Zoning Department is currently in the process of reviewing the application submittals and forwarding the neighborhood recommendations to Planning Commission and City Council. The Planning Commission reviews the neighborhood requests and forwards a recommendation to City Council. After considering the Neighborhood's and Planning Commission's recommendations, the City Council makes a decision on the vertical mixed use application.

#### **WHAT TYPES OF RECOMMENDATIONS CAN BE MADE BY THE NEIGHBORHOOD?**

- 1) Amend the boundaries of the vertical mixed use overlay district to remove a property from the overlay district. If a property is removed from the overlay district, a vertical mixed use building is not permitted on the property.
- 2) Allow for the vertical mixed use building option on properties outside of the VMU Overlay. A neighborhood can recommend to opt-in a commercially zoned property with any of the relaxed dimensional standards.
- 3) VMU Overlay District Opt-Out—the neighborhood can recommend to remove some or all of the relaxed site development standards to the VMU eligible properties within the overlay district.



- 4) **Affordability Level**—If VMU Buildings are approved through the opt-in/opt-out process and take advantage of the dimensional and parking exemptions they are subject to certain affordability requirements.

**Owner-Occupied Units**—Five percent of residential units shall be affordable for households earning no more than 80 percent of the current Median Family Income (MFI). Five percent of the residential units shall be affordable for households earning no more than 100 percent of the MFI. The affordability period is 99 years.

**Rental Units**—Ten percent of the residential units shall be affordable for households earning no more than 80 percent of the current MFI. As part of the opt-in/opt-out process, a neighborhood association or neighborhood planning team may request that the affordable rental units be available for renters earning a lower percentage of the median family income. This percentage can range from 80% to as low as 60 percent of the median family income. The affordability period is 40 years.

## ***OTHER FREQUENTLY ASKED QUESTIONS:***

### **DO I HAVE TO BUILD A VERTICAL MIXED USE BUILDING IF I GET REZONED THROUGH THE OPT-IN/OPT-OUT PROCESS?**

The vertical mixed use combining district adds an additional development *option* to a property. Any property owner that gets their property rezoned through the opt-in/opt-out process to add the vertical mixed use building “V” combining district will still have the right to (re)develop under their existing base zoning district.

### **HOW HIGH CAN A VERTICAL MIXED USE BUILDING BE BUILT?**

A vertical mixed use building cannot be built any higher than the base zoning district. For example, if your zoning is GR-V (community commercial-vertical mixed use building-combining district), the height limit would be 60 feet which is permitted under GR zoning.

### **IF THERE IS NO MINIMUM FRONT, STREET SIDE OR INTERIOR SIDE YARD SETBACKS CAN A VMU BUILDING BE BUILT RIGHT ON MY PROPERTY LINE?**

The City of Austin requires compatibility standards to help minimize negative impacts between low-intensity and high-intensity uses. Any lot zoned for condominium, multifamily, office, commercial, or industrial uses must comply with compatibility standards if it is adjacent to, across the street from, or within 540 feet of a single-family zoning district or use.

### **HOW WILL I KNOW IF/WHEN A VERTICAL MIXED USE BUILDING IS BEING CONSTRUCTED?**

Any property owner/developer who chooses to construct a vertical mixed use building must submit a site plan to the City. Site plans approval requires a public hearing before the Planning Commission. All property owners and registered neighborhood organizations within 300 feet of a proposed vertical mixed use development will be notified of the public hearing via US Mail.



## **WHAT CAN I DO IF I DO NOT AGREE WITH THE NEIGHBORHOOD RECOMMENDATION?**

The Opt-In/Opt-Out process includes two public hearings, first at Planning Commission and then at City Council. If you do not agree with the neighborhood recommendations you can submit a public comment form or email the zoning case manager with your comments. All comments will be forwarded to both Planning Commission and City Council. There is also an opportunity to attend the public hearings and state your comments directly to the Commissioners and City Council members.

## **HOW CAN I GET A VMU BUILDING ON MY PROPERTY IF I AM NOT IN THE OVERLAY DISTRICT?**

Any property owner can apply for a rezoning of their property to add the vertical mixed use building "V" combining district. The Planning Commission reviews the applicant's request and forwards a recommendation to City Council.

## **IF THERE IS NOT A MINIMUM BUILDING COVERAGE REQUIREMENT, ARE THERE ANY OTHER LIMITATIONS ON BUILDING COVERAGE ON A LOT?**

The City's impervious cover limits and compatibility standards will still apply.

## **WHERE CAN I FIND MORE INFORMATION ABOUT THE COMMERCIAL DESIGN STANDARDS AND VMU?**

[http://www.ci.austin.tx.us/planning/downloads/Subchapter\\_E\\_Design\\_Standards.pdf](http://www.ci.austin.tx.us/planning/downloads/Subchapter_E_Design_Standards.pdf)

<http://www.ci.austin.tx.us/planning/verticalmixeduse.htm>



I am NOT in favor of Vertical Mixed-Use land regulations. There is already too much congestion and lack of parking in this area. Obviously this is just a way for certain developers to get the most bang for their buck, and for the city to raise property taxes. Why does Austin keep trying to look like Dallas? Put me down for an emphatic NO. I don't want some multi-story building blocking the view of the most utilized entrance to my building on the Lamar Boulevard side. Any tenant who needs this visual accessibility will have their business hurt by this relaxed building code.

(Dolores) Ann Joseph  
owner: 1003 W. 34th. (Picket Fences)  
506 Centex Sportsman Club Road  
Belton, Texas 76513

**PLANNING COMMISSION COMMENT FORM**

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Wendy Rhoades, Austin, TX 78767-8835.

File # C14-2008-0003

Planning Commission Hearing Date: January 29, 2008

Name (please print) Dolores Ann Joseph

Address 506 Centex Sportsman Club Road  
Belton, Texas

☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

(owner 1003 W. 34)



## Windsor Road Planning Area

## VMU Tract Table

C14-2008-0003

Properties with Vertical Mixed Use Building (V) Zoning				
Tract #	TCAD Property ID	COA Address	FROM	TO
7	119491	3500 CRAWFORD AVE	GR	GR-V
	119492	0 W 35TH ST SE TRI OF LOT 2 *& W 62.5 FT OF LOT 3-6 *LESS 1401 SQ FT GLENRIDGE PLUS ADJ VAC ALLEY	GR	GR-V
8	119486	1500 W 35TH ST	GR	GR-V
9	119489	0 MILLS AVE BLK 12-14 GLENRIDGE PLUS 1/2 ADJ VAC STREET	GO	GO-V
10	499914	1301 1/2 W 38TH ST	GO	GO-V
		1301 W 38TH ST		
		1320 W 34TH ST		
		1330 1/2 W 34TH ST		
11	214609	0 W 38TH ST ABS 697 SUR 7 SPEAR G W ACR .2486 (PRORATE 8/10/07 TO 12/31/07)	CS	CS-V
	214610	3706 N LAMAR BLVD	CS	CS-V
	214612	3724 N LAMAR BLVD	CS	CS-V
	Portion of 214613	3705 1/2 MEDICAL PKWY	CS	CS-V
		3705 MEDICAL PKWY		
12	214611	3700 N LAMAR BLVD	CS	CS-V
13	214605	1015 W 37TH ST	CS	CS-V
		3520 N LAMAR BLVD		
15	214603	3418 N LAMAR BLVD	CS	CS-V
16	214604	1020 W 34TH ST	CS; CS-1	CS-V; CS-1-V
		3402 N LAMAR BLVD		
17	214601	1001 W 34TH ST	CS	CS-V
18	214595	1004 W 32ND ST	CS; GO; GO-MU	CS-V; GO-V; GO-MU-V
		3207 MEDICAL PKWY		
		3304 1/2 N LAMAR BLVD		
19	214591	3110 N LAMAR BLVD	CS	CS-V
	214592	3108 N LAMAR BLVD	CS; GO	CS-V; GO-V
20	214587	3100 N LAMAR BLVD	CS	CS-V
21	211082	1001 1/2 W 31ST ST	CS; GR; GO	CS-V; GR-V; GO-V
		1001 W 31ST ST		

ATTACHMENT 7



**Windsor Road Planning Area**

**Tract Table**

**C14-2008-0003**

<b>Properties Excluded from the Vertical Mixed Use (VMU) Overlay District</b>		
<b>Tract #</b>	<b>TCAD Property ID</b>	<b>COA Address</b>
1	120327	1809 W 35TH ST
	120328	1807 W 35TH ST
	120350	1815 W 35TH ST
	120351	1811 W 35TH ST
2	120332	1721 W 35TH ST
3	120334	1701 W 35TH ST
	120352	1707 W 35TH ST
		1715 W 35TH ST
4	119377	3427 JEFFERSON ST
5	119423	3411 GLENVIEW AVE
	119424	0 W 35TH ST
		E 50 FT OF LOT 7 GLENVIEW ADDN
	119425	1601 W 35TH ST
		1605 W 35TH ST
		3406 KERBEY LN
6	119477	1515 W 35TH ST
		3501 MILLS AVE



**Rhoades, Wendy**

**From:** ~~J. Basciano [BASCIANO@cityofaustin.com]~~  
**Sent:** Thursday, February 14, 2008 11:33 AM  
**To:** Wynn, Will; Martinez, Mike [Council Member]; Cole, Sheryl; Kim, Jennifer; Leffingwell, Lee; Dunkerley, Betty; McCracken, Brewster; Schooler, Larry; Aguilera, Gloria; Bailey, Rich; Wilson, Beverly (Council Place 6); Garza, Bobby; May, Rachel; Moore, Andrew; Levinski, Robert; Williams, Nancy; Kenny Thompson  
**Cc:** ~~Tom Ehrenmann, Randy Schreengost, Michael Garry, Linda Gdinez, Jerry Bullock, Steve Rickhardt, Harry Mallard, Edward Tasch, Cord Dover, Celeste Hubert, Bill Woods, Amy Friday, Margaret Tenney, Kelly Sperry, David Barone, Happy Harris;~~ Rhoades, Wendy  
**Subject:** Agenda Item #91 (C14-2008-0003) Windsor Road NP Area VMU Overlay District  
**Importance:** High

Dear Mayor Wynn and Council members,

**On behalf of the Bryker Woods Neighborhood Association (BWNA), I urge you to adopt the submitted Planning Commission recommendation for the Windsor Road NP Area VMU Overlay District (C14-2008-0003). This position on VMU zoning is the result of a long process initiated by the City.** That process included analyzing the City listed properties, talking with neighbors, conferring with City staff, developing a position and voting on that position statement. The BWNA Board, the neighbors of Bryker Woods at an open meeting and the Planning Commission have all voted on the ordinance before you and each vote has been unanimously in favor of the ordinance as written.

Only the properties listed in this ordinance have gone through this process and the inclusion or exclusion of any other properties lacks the same careful consideration. **The Windsor Road NP area is a part of the Central West Austin Neighborhood Planning Area and that area is currently in the midst of the City's Official Neighborhood Planning Process. Future changes to the zoning of individual properties will be considered as a part of that process.**

**It seems inappropriate to determine VMU zoning status for properties when that request is made for the first time at the City Council level.** We hope that everyone understands that this is not the only opportunity to apply for VMU zoning. The opportunity exists at the end of the neighborhood planning process and as amendments to an approved plan. There is also an Opt-in application process available.

**Should the matter of postponement arise the BWNA respectfully requests the issue of postponement be discussed as there are quite a number of neighbors and property owners adversely affected.**

Thank you for your consideration,

Sincerely,

Joyce Basciano, President  
 Bryker Woods Neighborhood Association

2/14/2008